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Of Counsel  
Gregg J. Gunta

December 6, 2022

Honorable Nancy Joseph  
United States District Court  
Eastern District of Wisconsin  
517 East Wisconsin Avenue  
Milwaukee, Wisconsin 53202

**RE: *Knowlton, et al. v. Wauwatosa, et al.***  
**Case No. 20-CV-1660**

Dear Judge Joseph:

On December 6, 2022, the parties met and conferred regarding outstanding discovery. Attorneys Kimberley Motley and Kate Knowlton appeared for Plaintiffs, and I appeared for Defendants. During the meet and confer, I inquired if Plaintiffs had received any documents in response to the forty-eight non-party subpoenas issued by them on November 2, 2022, or their subpoena to the WI DOJ issued on October 10, 2022. Defendants have not received any documents despite requesting copies of the documents on November 2, 2022, and Attorney Schwab responding “of course.”

During the meet and confer, Attorney Motley advised she had received “some things” in response to the DOJ subpoena but thought there was an issue with the time-period DOJ looked up and was trying to get clarification on things. Attorney Motley offered a variety of reasons the materials had not been provided including: “you will get the documents as we work them out”; that the documents “are not what we asked for”; and she has not “had time to look through them.”

Attorney Motley refused to tell me the date she received the documents or when she would provide them to me beyond “in a timely fashion.” When asked “what in a timely fashion means?” Attorney Motley responded, “we can address this with the Court.”

Pursuant to Fed. R. Civ. P. 45(a) Committee Note (2013), Defendants are asking the Court to order Plaintiffs to provide immediate notice of receipt of subpoena materials and for access to the materials within 2 days. The DOJ records specifically are likely relevant to Plaintiffs’ Second and Fourteenth Claims for Relief and the dispositive motion deadline is December 19, 2022.

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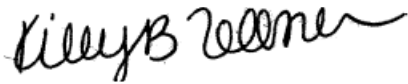
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Defendants hope this issue can be addressed at the parties 9:00 AM hearing tomorrow with the Court to discuss Plaintiffs' request for medical records to be designated Attorney's Eyes Only.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Kiley B. Zellner", with a stylized, flowing script.

Kiley B. Zellner